

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION,
DEPARTMENTS A AND B
AMENDED NOTICE OF HEARING DATES AND TIMES
MARCH AND APRIL 2015
(AMENDED TO CHANGE HEARING DATES FROM MARCH 18 AND 19 TO MARCH 17 AND 18 -
DEPT. A ONLY)**

Hearings on motions, plan confirmations, and disclosure statements in cases assigned to the Fresno Division may be set in accordance with Local Bankruptcy Rules 3007-1 and 9014-1 on the self-set calendar dates listed below. It is not necessary to obtain a date and time from the calendar clerk. However, if you are setting for hearing ten or more matters in a single case or adversary proceeding, please contact Virginia Guajardo at 559-499-5870 for Department B, Judge W. Richard Lee, or Kathy Torres at 559-499-5860 for Department A, Judge Fredrick E. Clement, to obtain an appropriate hearing date and time. Cases assigned to Judge Lee contain the letter "B" immediately following the case number. If the letter "A" follows the case number, it is assigned to Judge Clement. Following the "A" or "B" designation is a number representing the Bankruptcy Code chapter under which the case is pending. Hearings in Kern and Inyo County cases are generally set in Bakersfield. Hearings in Fresno, Kings, Tulare, Madera, Merced, and Mariposa County cases are set in Fresno.

Locations for Fresno hearings are: Judge W. Richard Lee, Department B, Courtroom 12, Fifth Floor, U. S. Courthouse, 2500 Tulare Street, Fresno, California; Judge Fredrick E. Clement, Department A, Courtroom 11, Fifth Floor, U. S. Courthouse, 2500 Tulare Street, Fresno, California. Bakersfield hearings before both Judges Lee and Clement will be held in the U.S. Courthouse, 510 19th Street, Bakersfield, California.

All documents in Fresno and Bakersfield cases must be filed with the Clerk of the Bankruptcy Court in Fresno. The address of the Clerk's office is:

*Clerk, U. S. Bankruptcy Court
United States Courthouse
2500 Tulare Street, Suite 2501
Fresno, CA. 93721-1318*

Questions regarding calendar should be directed to Vicky McKinney, Calendar Clerk, at (559) 499-5825.

Telephonic appearances may be arranged by calling Court Call at (866) 582-6878 no later than 4 p.m. the day prior to the court hearing date. Parties and counsel may appear telephonically on matters except evidentiary hearings and Chapter 11 and 12 confirmation hearings. *Please note that persons using the court call system do so at their own risk. Hearings will generally not be rescheduled due to the attorney appearing telephonically not being connected.*

The court posts "Pre-Hearing Dispositions" for many matters between 2:00 o'clock p.m. and 4:00 o'clock p.m. the day before the hearing. Consult the court's website at www.caeb.uscourts.gov to view the pre-hearing dispositions. Please check the court's website under "What's New" for any updates.

Revised 1/20/15

PROCEDURE FOR SETTING HEARINGS ON EXPEDITED BASIS
AS REQUIRED BY THE BANKRUPTCY ABUSE PREVENTION AND
CONSUMER PROTECTION ACT OF 2005 (the "BAPCPA")

The BAPCPA contains a number of provisions for an expedited hearing ("Expedited BAPCPA Hearings"). See, *inter alia*, 11 U.S.C. § § 362(c)(3); 362(c)(4); 362(h)(2); 362(l)(2); 362(m); 521(a)(2)(A); 521(a)(6); 521(i)(4); 727(a)(12); 1112(b)(3); 1116(3); 1228(f); 1328(h).

To the extent that an Expedited BAPCPA Hearing is required under any section of the BAPCPA, including those sections set forth above, for which the regular period of notice required by Local Bankruptcy Rule 9014-1 is not appropriate, the following procedure shall apply in the Fresno Division for setting hearings.

1. Expedited BAPCPA hearings may be self-set on no fewer than seven (7) calendar days notice in either Dept. A or Dept. B, regardless of to which department the case is assigned. The caption of each document associated with a motion brought under this procedure shall clearly state "Expedited BAPCPA Motion."
2. Expedited BAPCPA Hearings **in chapter 7 cases shall be held on the regular chapter 7 Law and Motion calendar.** Expedited BAPCPA Hearings **in chapter 13 cases shall be held on the chapter 13 Law and Motion calendar.**
3. If no self-set hearing date is available in either Dept. A or Dept. B within the time required by BAPCPA, which allows at least seven (7) calendar days notice, then it will be necessary to seek an order shortening time. See, LBR 9014-1(f)(3). An application for order shortening time shall describe the provision of BAPCPA requiring an expedited hearing and the reason why the available self-set dates are not sufficient.
4. Expedited BAPCPA Hearings will be evidentiary hearings, at which witnesses may testify. No telephonic appearances will be permitted in Fresno cases, absent an order on written application. For Bakersfield cases, telephonic appearances will generally be permitted on written application.
5. If you have any questions regarding the above procedures, please contact the calendar department at 559-499-5825.

DEPARTMENT A - Judge Fredrick E. Clement
2500 Tulare Street, 5th Floor, Courtroom 11, Fresno, California
and 510 19th Street, Suite 200, Bakersfield, California

Fresno

Chapter 7	Cases	Mar. 11, 17	Apr. 1, 15, 29	9:00 a.m.
	Adversary Proceedings	Mar. 11, 17	Apr. 1, 15, 29	10:00 a.m.
	Reaffirmations	Mar. 11, 17	Apr. 1, 15, 29	10:30 a.m.
Chapter 11	Cases	Mar. 11, 17	Apr. 1, 15, 29	1:30 p.m.
	Adversary Proceedings	Mar. 11, 17	Apr. 1, 15, 29	2:00 p.m.
Chapters 13 & 12	Cases	Mar. 12, 18	Apr. 2, 16, 30	9:00 a.m.
	Adversary Proceedings	Mar. 12, 18	Apr. 2, 16, 30	10:00 a.m.

Bakersfield

Chapter 13 & 12	Cases	Mar. 4	Apr. 8	9:00 a.m.
	Adversary Proceedings	Mar. 4	Apr. 8	10:00 a.m.
Chapter 7	Cases	Mar. 4	Apr. 8	10:30 a.m.
	Adversary Proceedings	Mar. 4	Apr. 8	11:00 a.m.
	Reaffirmations	Mar. 4	Apr. 8	11:30 a.m.
Chapter 11	Cases	Mar. 4	Apr. 8	1:30 p.m.
	Adversary Proceedings	Mar. 4	Apr. 8	2:00 p.m.

DEPARTMENT B - JUDGE W. RICHARD LEE
MARCH AND APRIL 2015

FRESNO MATTERS: *Courtroom 12, Fifth Floor, 2500 Tulare Street, Fresno, California*

Chapter 7. All motions in chapter 7 cases **(except motions in adversary proceedings, summary judgment motions and reaffirmation agreements)** may be set at **10:00 a.m.** on:*

March 12, 26

April 2, 16, 30

Chapter 7. All reaffirmation agreements in chapter 7 cases may be set at **11:00 a.m.** on:

March 12, 26

April 2, 16, 30

Chapters 9, 11 & 12. All motions and disclosure and confirmation hearings may be set at **2:30 p.m.** on:

March 12, 26

April 2, 16, 30

Chapter 13. All chapter 13 motions and confirmation hearings may be set at **1:30 p.m.:**

March 12, 26

April 2, 16, 30

Motions for Summary Judgment and Motions in Adversary Proceedings. All chapters may be set at **9:00 a.m.** on:*

March 26

April 30

BAKERSFIELD MATTERS: *U.S. Courthouse, 510 19th Street, Bakersfield, California*

Chapter 7. All motions in chapter 7 cases **(except motions in adversary proceedings, summary judgment motions and reaffirmation agreements)** may be set at **10:00 a.m.** on:*

March 5

April 9

Chapter 7. All reaffirmation agreements in chapter 7 cases may be set at **11:00 a.m.** on:

March 5

April 9

Chapters 13. All chapter 13 motions and confirmation hearings may be set at **1:30 p.m.** on:

March 5

April 9

Motions for Summary Judgment and Motions in Adversary Proceedings: All chapters may be set at **9:00 a.m.** on:*

March 5

April 9

Chapters 9, 11 & 12. Department B no longer has a self-set calendar in Bakersfield for chapters 9, 11 and 12 matters originating in Kern and Inyo Counties. Hearings will be set in Bakersfield by special setting for cause only. All general chapters 9, 11 and 12 matters should otherwise be self-set for hearing on the Fresno calendar.

*Motions in adversary proceedings should be set for hearing with proper notice with a scheduled status conference in the same adversary proceeding or at the time set forth above. **Do not set for hearing on the chapter 7 law and motion calendar.** The moving party may request an alternative special setting for any summary judgment motion or other lengthy matter. Motions for summary judgment in Bakersfield may be set for hearing on the Fresno summary judgment calendar if all parties agree. Revised 1/5/15